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ABSTRACT

Little research has been conducted on middle school conduct codes or their effect on unacceptable behavior. This paper presents findings of a study that examined the conduct codes of 10 middle schools across the United States. All of the middle school handbooks addressed unacceptable language (for example, obscenity, harassment, and profanity) in some way. However, several problems with language issues were found. Only half of the codes addressed federal and state laws; most codes contained ambiguous categories of speech (for example, "foul language"); most codes failed to provide definitions of unacceptable language; almost all codes failed to address unacceptable language in computer-mediated communication; and fewer than half clearly linked unacceptable language to sanctions. The paper offers eight recommendations for improving conduct handbooks: (1) apply relevant laws; (2) provide clear definitions; (3) eliminate ambiguous terms; (4) provide examples and nonexamples; (5) specify discipline procedures; (6) discuss conduct procedures with students; (7) make conduct information prominent; and (8) update the conduct code. One table is included. (CR)

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Improving School Conduct Codes:
Clarity About Unacceptable Speech

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Abstract

Little research has been done on middle school conduct codes or their effect on unacceptable behavior. To better understand problems with unacceptable language, we obtained a sample 59 middle school handbooks. All handbook conduct codes addressed unacceptable language (e.g., obscenity, harassment, profanity) in some way. However several problems with language issues were apparent: (a) only half of the codes addressed federal and state laws, (b) most codes contained ambiguous categories of speech (*foul language*), (c) most codes failed to provide definitions of unacceptable language, (d) almost all failed to address unacceptable language in computer-mediated communication, (e) less than half of the handbooks clearly linked unacceptable language to response-costs. Recommendations to improve handbooks are offered.

What is the purpose of a student handbook? School handbooks are distributed to students and parents to inform them about the school's policies and conduct code. Policies refer to attendance, guidance services, library usage and class schedules (Purvis & Leonard, 1988). The conduct code covers student behavior and discipline. Student conduct or "discipline" includes health and safety, traffic rules, care of property, mediating differences of opinion, and behavior travelling to and from school. While one might expect handbooks collected from around the country to be different, Purvis and Leonard's (1988) nation-wide study found handbooks to be "very similar regarding the treatment of conduct, both from the standpoint of organization and content." Code similarity might be due to the fact that discipline regulation is responsive to federal, state and school board rulings. But is there a broader purpose to handbooks besides addressing the law?

The Purpose of the Handbook

Purvis and Leonard (1988) noted that the student handbook was a tool to deal with student discipline problems because handbooks specified what was expected of students. Recently, Heath (1995) wrote that one of the most important ways to build parental affiliation to a school was through a good parent/student handbook. One assumes involved parents help reduce problems. A handbook, then, provides a legal and a behavioral framework for maintaining good citizenship at school. Whether the purpose is to improve parental affiliation or to maintain student discipline, little is known about the effectiveness of handbooks.

One might ask about the number and scope of problems addressed by these codes. Is the handbook up to date? Are pertinent federal and state laws outlined? Is the handbook clearly and unambiguously written? Are prohibited behaviors clearly defined? Is there a strong link between rule breaking and punishment? Without systematic study, we cannot be sure whether a handbook is achieving its intended purpose for a public school or the community at large.

An Example of A Potential Problem: Sexual Harassment

One might wonder if problems with truancy, incivility, aggression, discrimination or harassment are exacerbated by ineffective conduct codes. Take verbal sexual harassment, for example. A handbook could address the problem of harassment but in language that does not clearly describe what is expected at school. Students and parents would not have a clear definition or examples of what is prohibited. A handbook might fail to specify a set of consequences applied to students who harass others. The handbook would give readers the illusion that harassment is being effectively dealt with when it was not. This would be unfortunate because offensive and harassing language is a growing problem for contemporary education.

Handbooks and Unacceptable Language

In recent times, many teachers have complained about students' use of offensive language at school (see Jay, 1996). Newspaper reports (Graham, 1995, for example) indicate that school children are using more offensive language at school than ever before. One could imagine discrimination, slander, gender-related insults,

verbal abuse and harassment as perhaps the most problematic. One would need to know how language problems are framed in handbooks.

Court cases of sexual harassment of school children have put many educators on notice that harassing speech can no longer be tolerated at school. Studies of harassment at school (see Bryant, 1993; Horowitz, 1994; Strauss, 1992) have made it clear that the problem is widespread and detrimental to young women. Legal decisions are just beginning to help educators develop a clearer picture of what types of behaviors constitute harassment. One would expect harassment to be addressed in all handbooks. But is it?

Before we can measure the effectiveness of handbooks on students' behavior, it is necessary to examine and describe their contents. This study was designed to examine how unacceptable speech is restricted in middle school student handbooks. We focus on middle schools, assuming that effective discipline at this level will prevent problems at the high school level. The goal was to collect a sample of middle school handbooks, then to analyze how language problems are defined and document how problems are dealt with.

Method

During fall 1995 we obtained middle school handbooks (conduct codes) through two procedures, via Email solicitations and by standard mail. A request for middle student handbooks was sent to several school-related internet listservers. Listserver requests netted 8 handbooks. The return rate cannot be determined. We then

mailed requests for handbooks to 106 public, middle schools in Massachusetts listed in a state directory. Mail solicitation netted 51 handbooks, representing a return rate of 48%. Following Purvis and Leonard's (1988) finding that books from around the country were equivalent in content and based on our own cross-comparisons, we combined all handbooks into a sample size of 59, analyzing the content of each.

We report on four language factors: (a) how *legal* restrictions on harassment and discrimination, for example, were *defined*, (b) what *categories* of language were defined as unacceptable, (c) what *modes of speech* were restricted, and (d) how language violations were linked to discipline procedures.

Results and Discussion

Scope and Length of Handbooks. There was a wide range of styles and levels "professionalism' in the handbooks. The average number of pages was 28, similar to what Purvis and Leonard (1988) found, 20 pages. They ranged from a one-paged, xeroxed, single-spaced list of restrictions to a colorful, 96-page booklet. We examined handbooks where speech restrictions appeared.

It should be noted that 90% of the handbooks stated that language restrictions applied to students beyond the school proper, for example, many had policies for conduct on buses, travelling to and from school or on extracurricular trips.

Dealing With Restrictions Based On Federal or State Rulings

One obvious reason to restrict language at school is to uphold federal or state rulings. We looked for legal restrictions based

on sexual harassment, gender or racial discrimination, verbal threats, fighting words and obscenity laws. Hazing and graffiti are also be defined as crimes at the state level but how speech is implicated in these crimes in middle schools is not clear. In general, federal restrictions on speech should be universally defined in the sample. One exception is "fighting words" statutes, which vary from state to state based on cases adjudicated in each state.

Sexual Harassment. Although of national concern, only 52% of the sample contained an explicit restriction on sexual harassment. Unfortunately, only 39% actually defined what constituted the offense. The EEOC law was cited in only 14% of the sample, while 25% of the definitions were based on the school's rendition of sexual harassment.

Discrimination. Language that would constitute a form of gender or racial discrimination was mentioned in 56% of the sample. The schools' definition of discrimination appeared in 20% of the sample. Discrimination statues appear in Title IX of the Educational Amendment and Title VII of the Civil Rights Bill, which can be excerpted. Only 36% of the sample cited discrimination laws.

Verbal Threats. Restrictions on verbal threats were mentioned in 53% of the sample. Unfortunately in 84% of these documents, what constitutes a threat was never defined. Only one book cited appropriate state law.

Obscenity. Restrictions on obscene speech were mentioned in

59% of the handbooks. The three-pronged test of obscenity (from Supreme Court rulings) did not appear in the sample. We infer that "obscenity" is used as a general term for several different types of unacceptable language.

Fighting Words. Fighting words are personally provocative words spoken face to face that lead to immediate violence. This category of restriction was mentioned in only one handbook and it was not defined with reference to the law.

Ill-defined Categories of Unacceptable Speech

These categories of speech are not based on federal rulings (although hazing and graffiti appear in state statutes, as mentioned above). In general, these non-legal restrictions on language present categories of language that are poorly defined. Definitions offered tend to be vague and ambiguous. What constitutes an example of the restriction is not provided for the reader. For example, the handbook may restrict "profanity" (literally, *damn, hell*). But is a more offensive category, such as, obscenity, the intention? We have rank ordered these "ill-defined" categories in Table 1.

Table 1 here

These ill-defined categories might work to undermine effective discipline. From Table 1 it is obvious that too many schools present restrictions that are ambiguous and ill-defined. Parents, teachers and students need clear definitions of what constitutes

unacceptable language. References to "foul", "vulgar", "abusive", "offensive", or "swearing" language without definitions do not tell students what is expected from them. Such references might undermine the purpose of outlining discipline procedures. Unless ill-defined terms are defined at school, students are at risk of breaking the rules without knowing what the rules are.

Modes of Restricted Communication

While *categories* are based on the semantics underlying language, *modes* of speech refer to *how* an expression is passed from one to person to another. Modes are also known as speech channels. Oral speech is the most obvious mode of communication but we also communicate to others through the clothing we wear and through a variety of electronic devices.

Oral or verbal speech was mentioned in 95% of the handbooks we sampled. Language on clothing was restricted in 68% of the handbooks. Hats were specifically mentioned in 9% of the sample. Jewelry was also noted in 9%.

Electronic media restrictions. Several forms of electronic media are forbidden at schools. Radios were mentioned in 39% of the sample and beepers in 25%. The next most restricted device was the telephone, which appeared in 14% of the handbooks.

Although we have been aware of problems with obscenity and pornography in computer communications, only 1 handbook mentioned computer-mediated language restrictions and two mentioned restrictions on Email communications. This failure to address computer-mediated speech is potentially very problematic.

Response-Cost for Breaking Using Unacceptable Speech

Although schools have explicit forms of classroom management, not all schools define the response-cost for violating speech codes in the handbooks. We looked for response-costs, such as suspension or detention, applied to first and second language violations.

Profanity. Response-cost for profanity was mentioned in 46% of the books but only 46% of the sample noted what the cost was (for example, detention or suspension). Second offenses were mentioned for profanity in 24% of the sample.

Obscenity. Thirty-nine percent of the books noted a cost for the first violation of obscenity, but only 39% went on to define what that sanction was. A second violation punishment was noted in 22% of the handbooks.

Clothing. The cost for violating the clothing restrictions were mentioned in 30% of the sample but 70% did not say what the punishment was. Second-time infractions were mentioned in 16% of the books.

Verbal Abuse of a Teacher. Punishments for directing offensive language toward a teacher were mentioned in 29% of the handbooks and second-time offenses were mentioned in 10%. As with the other offenses, the precise forms of punishments were detailed in only 19% (first-time) and 10% (second-time) of the books.

Jewelry and Graffiti. Response-costs for inappropriate jewelry were mentioned in 9% of the sample and graffiti punishment was noted in only one handbook. The nature of these punishments for jewelry infractions were only mentioned in 8% of the books and

for graffiti was only mentioned in one book from the sample.

General Summary. Handbooks are intended to inform parents and students about conduct issues at school. Many types of conduct problems emerge in contemporary classrooms, one of them being harassing and abusive language. One way to help ameliorate unacceptable language problems is to clearly define to students what is and what is not acceptable. Our findings indicated that handbooks must be improved with clearer definitions and examples of unacceptable language. We outline these recommendations next.

Recommendations to Address the Problems

In general we recommend that handbooks should be precise, clear and informative about what forms of speech are appropriate and which are unacceptable. As used in the present sample, references to "profanity", "obscenity", "vulgarity" were too vague and undefined. For authors of student handbooks, clear definitions and examples of different forms of unacceptable language can be found elsewhere (Jay, 1996). Too many handbooks use terms like "swearing" as a blanket term, to represent several kinds of offensive language. If the code restricts several types of language, then each type should be named and defined.

We emphasize that we are looking at handbooks, not what actually happens at school. A vague term in a handbook, for example "foul", could be defined at school once students attend classes and they utter such "foul" language. And further, we have no idea whether restrictions in the handbooks are aggressively enforced at school. However conduct codes are enforced, we do

recommend the following improvements.

Apply Relevant Laws. The handbook should cite relevant federal and state laws restricting offensive forms of speech, such as sexual harassment, or discrimination based on gender or race. These laws provide clear and sufficient basis for restricting language at school for inquisitive students or parents.

Provide Clear Definitions. The EEOC provides a good definition of sexual harassment. With clear definitions of unacceptable speech, parents and students have a better understanding of what is expected of them. Consult a good dictionary, or see Jay (1996) for literal definitions of language category terms such as "profanity" and "vulgarity."

Eliminate Ambiguous Terms. Terms such as "foul language", "inappropriate language", "swearing", and "vulgar speech" are too vague. The term "profanity" is used much too frequently and too broadly to refer to a wide range of unacceptable language. Replace ambiguous terms with precise definitions of what is unacceptable.

Provide Examples and Non-examples. When defining and describing restrictions of speech, provide some examples or be prepared to give students and parents examples when they inquire. Many people do not have a clear notion of how boys' language can harass girls.

Take another question, what is "abusive" speech? Give an example of a student being abusive toward a teacher and an example of a student arguing with a teacher in a non-abusive manner. Indicate where the "line" is crossed.

Make Discipline Procedures Clear. Use an "if-then" approach; that is, "if you use an obscenity in class, you will receive a 15-minute, after-school detention." Describe all levels of response-cost from timeout to after-school suspension. Indicate what language infractions receive different levels of cost. Also, do not make rules that will not be uniformly enforced.

Discuss Conduct Procedures With Students. Do not assume that all students understand the handbook even though they have returned a signed note from their parents. If student conduct is important, it should be discussed at the beginning of the year and at times when conduct problems arise. Students should be informed about appropriate conduct not just threatened with discipline.

Make Conduct Information Prominent. Posters supporting good conduct should be placed around the school. Part of the code of conduct can be reproduced on students' notebooks, folders and school calendars. Accentuate the positive aspects of speech.

Update The Conduct Code. Handbooks must be updated to reflect current state and federal laws. References to computer communication and Email messages were found lacking in our sample. Someone on the school staff should be familiar with changes in harassment, discrimination and First Amendment law.

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Table 1.

Ill-Defined Categories of Unacceptable Speech

Category Term Used	Percentage of Sample
Profanity	61%
Hazing	58%
Vulgar	51%
Inappropriate	42%
Abusive	37%
Intimidating	24%
Swearing	24%
Offensive	17%
Foul	10%
Violent	3%